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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Patrick Pierre Notte

Serial No. 10/534,306

Filed: May 9, 2005

For: HEAT TRANSFER FLUIDS FOR APPLICATION OVER A BROAD RANGE OF  
TEMPERATURES

PETITION FOR CANCELLATION OF APPLICATION  
AND REIMBURSEMENT OF FEES

RECEIVED

PCT Legal Office  
Office of Commissioner  
P.O. Box 1450  
Alexandria, VA 22313-1450

31 JAN 2006

Legal Staff  
International Division

Dear Sir:

Due to poor coordination between the applicant and his attorneys, two applications were filed in the U.S. Patent and Trademark office for entry into national phase for PCT/EP2003/012170.

One application was filed by a first attorney on 06 May 2005 which was identified as U.S. Serial No. 10/534,086. The second application was filed by a second attorney on 09 May 2005 and was identified as U.S. Serial No. 10/534,306.

It is requested that U.S. Serial No. 10/534,306 be canceled and that the fees paid be reimbursed to Armstrong, Kratz, Quintos, Hanson & Brooks, LLP.

Date Jan 30, 2006

Respectfully submitted,



Robert M. Gamson

Reg. No. 32,986

Attorney for Applicant

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RMG/chb

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CERTIFICATE OF TRANSMITTAL

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: January 30, 2006

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By:

  
Carolyn H. Bates

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 05124-PCT-PA U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/534306</b>
INTERNATIONAL APPLICATION NO. PCT/EP2003/2170	INTERNATIONAL FILING DATE 30 October 2003	PRIORITY DATE CLAIMED 07 November 2002
TITLE OF INVENTION HEAT TRANSFER FLUIDS FOR APPLICATION OVER A BROAD RANGE OF TEMPERATURES		
APPLICANT(S) FOR DO/EO/US Patrick Piere Notte; John Joseph Tria; and David Lee Davidson (deceased) - Dawn King Davidson (heiress)		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of Items concerning a submission under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of Items concerning a submission under 35 U.S.C. 371.		
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include Items (5), (6), (9) and (21) indicated below.		
4. <input checked="" type="checkbox"/> The US has been elected (Article 31).		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> Is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul>		
6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul>		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul>		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.78.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13/ter.2 and 37 CFR 1.821-1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <input type="checkbox"/> Other items or information:		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/534306</b>		INTERNATIONAL APPLICATION NO. PCT/EP2003/2170		ATTORNEY'S DOCKET NUMBER 05124-PCT-PA	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee..... \$200.00				\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee..... \$500.00				\$ 500.00	
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$ -0-	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	14 - 20 =		x \$50.00	\$ -0-	
Independent claims	1 - 3 =		x \$200.00	\$ -0-	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ -0-	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ -0-	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$ 1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,000.00	
Amount to be refunded:					\$
Amount to be charged					\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,000.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-2839</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p>ARMSTRONG, KRATZ, QUINTOS, HANSON &amp; BROOKS, LLP 502 Washington Avenue, Suite 220 Towson, MD 21204 Phone: 410-337-2295 Fax: 410-337-2296</p>					
				<p> SIGNATURE</p> <p>Robert M. Gamson NAME</p> <p>32,986 REGISTRATION NUMBER</p>	